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### Natural Law and Laws of Nature in Early Modern Europe: Jurisprudence, Theology, Moral and Natural Philosophy

**Citation for published version:**

Henry, J 2010, 'Natural Law and Laws of Nature in Early Modern Europe: Jurisprudence, Theology, Moral and Natural Philosophy', *British Journal for the History of Science*, vol. 43, no. 156, pp. 123-124.  
<https://doi.org/10.1017/S0007087410000105>

**Digital Object Identifier (DOI):**

[10.1017/S0007087410000105](https://doi.org/10.1017/S0007087410000105)

**Link:**

[Link to publication record in Edinburgh Research Explorer](#)

**Document Version:**

Publisher's PDF, also known as Version of record

**Published In:**

British Journal for the History of Science

**Publisher Rights Statement:**

©Henry, J. (2010). Natural Law and Laws of Nature in Early Modern Europe: Jurisprudence, Theology, Moral and Natural Philosophy. *British Journal for the History of Science*, 43(156), 123-124doi: 10.1017/S0007087410000105

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**Lorraine Daston and Michael Stolleis (eds.), *Natural Law and Laws of Nature in Early Modern Europe: Jurisprudence, Theology, Moral and Natural Philosophy*. Aldershot: Ashgate, 2008. Pp. xii+338. ISBN 978-0-7546-5761-3. £60.00 (hardback).**

John Henry

The British Journal for the History of Science / Volume 43 / Issue 01 / March 2010, pp 123 - 124  
DOI: 10.1017/S0007087410000105, Published online: 09 March 2010

**Link to this article:** [http://journals.cambridge.org/abstract\\_S0007087410000105](http://journals.cambridge.org/abstract_S0007087410000105)

## **How to cite this article:**

John Henry (2010). The British Journal for the History of Science, 43, pp 123-124 doi:10.1017/S0007087410000105

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LORRAINE DASTON and MICHAEL STOLLEIS (eds.), *Natural Law and Laws of Nature in Early Modern Europe: Jurisprudence, Theology, Moral and Natural Philosophy*. Aldershot: Ashgate, 2008. Pp. xii + 338. ISBN 978-0-7546-5761-3. £60.00 (hardback).  
doi:10.1017/S0007087410000105

Considering the importance of laws of nature in science, the secondary literature on the subject from a historical perspective is surprisingly limited. (The literature in the philosophy of science, by contrast, is extensive.) The appearance of this rich and wide-ranging collection of essays, therefore, makes a huge difference in more ways than one. It not only makes a significant addition to the studies available but extends the range and depth of the relevant historiographical issues. Lorraine Daston and Michael Stolleis have brought together sixteen scholars (including themselves) from the history of science and the history of jurisprudence, and they have compiled a collection of essays of the highest standards. *Natural Law and Laws of Nature in Early Modern Europe* should certainly provide the starting point for all future work in the area.

Although individual authors provide focused accounts of their own particular interests and expertise, the volume as a whole offers a major assessment of the relations between laws of nature in natural philosophy and natural laws in jurisprudence from the late sixteenth century through to the early eighteenth. The aim of the editors, and indeed the contributors, was to provide at least the beginnings of an answer to problems arising from ‘the efflorescence of natural law in both European jurisprudence and natural philosophy’ in the early modern period (p. 1). Was this merely coincidence? Are the issues in each realm unconnected – only seeming to be related because of a superficially similar terminology? Or was there what the editors call a ‘common conceptual matrix’ which made the ‘analogy between legal and natural orders compelling’? These questions can be answered only by input from both fields, and the contributors have laid down secure foundations for further inquiry.

It is not possible here to do justice to the chapters in full, only to indicate their main themes. The proceedings begin with an introduction by the editors which sets the scene in a way which is much more useful than most opening remarks. In Chapter 1, Catherine Wilson brilliantly indicates how a ‘philosophically incoherent’ (p. 13) notion (laws of inanimate nature) was turned into a compelling ‘nomological image’ (p. 28). Ian Maclean’s characteristically subtle chapter discusses how the semantic content of the terms ‘law’ and ‘nature’ shifts as Renaissance concerns with essences give way to early modern concerns with natural operations and how they can be manipulated. Michael Stolleis, concentrating on legal traditions, gives a compressed but still rich account of changing ways of legitimating laws. Turning intuitive notions on their head, he claims that one of the most successful ways of justifying laws was derived from attempts to draw analogies with laws in natural philosophy. This is endorsed by Heinz Mohnhaupt, who shows how attempts to claim legal certainty drew upon talk of laws in natural philosophy. His contention in turn is later supported by Klaus Luig’s examination of the links between the concept of physical laws and Leibniz’s views on the certainty of judicial laws. Jan Schröder shows how the concept of natural law disintegrates in the legal tradition so that physical laws are now the only laws designated as natural, while Andreas Roth provides a fascinating account of the concept of crimes against nature and their disappearance from jurisprudence. Gerd Graßhoff provides an important analysis of the role of laws in turning geometrical models in astronomy into explanatory physics, especially in the work of Kepler. A highly nuanced comparison between the humanist Matthias Bernegger and Richard Cumberland, seen here as influenced by the work of the Royal Society, allows Hubert Treiber to show why only the latter embraced the concept of physical laws. Friedrich Steinle’s important study of laws of motion, comparing Continental Cartesians with members of the Royal Society, details the shift from laws as *a priori* axioms to statements of generalized empirical results. Lorraine Daston’s chapter endorses Steinle’s views on the emergence of laws as empirically derived regularities even though her focus is on attitudes to

the seemingly non-lawful behaviour of the weather. Moral philosophy is chiefly represented by Catherine Larrère's subtle and thoughtful piece on moral Newtonianism, while the theological dimension is the main focus of four papers. Two chapters explicitly concerned with Protestant Germany seem to have implications for our understanding of Protestant attitudes more widely. Sachiko Kusakawa shows links between Protestant providentialism and an emphasis on a regular and law-like nature, while Anne-Charlott Trepp argues that this emphasis stems from a belief that salvation depended in part on an ability to recognize and appreciate the (God-given) order of nature. Sophie Roux provides a pivotal piece on the importance of theological issues in debates about the causal efficacy of physical laws, and this is echoed by Armogathe, whose 'Deus legislator', taking for granted the primacy of legal ideas over natural philosophical developments, seeks to show 'that one cannot understand the transfer of concepts which have a juridical origin onto the physical world unless one understands the *theological matrix* that undergirds them both' (p. 265, emphasis in original).

I hope it is clear even from such a brief survey of the contents that this is a book of many facets, allowing glimpses into abundant and complex aspects of early modern thought. Furthermore, thanks to the way the papers in some cases harmonize with one another, and in some cases clash with one another, the whole is greater than the sum of its parts. As the editors point out in their introduction, this volume is intended to mark an opening to a new area of research, not to present the final word. Certainly, the success of this preliminary exercise vindicates the editors' belief that the burgeoning of natural-law theories in the early modern period demands interdisciplinary collaboration.

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PALMIRA FONTES DA COSTA, *The Singular and the Making of Knowledge at the Royal Society of London in the Eighteenth Century*. Newcastle-upon-Tyne: Cambridge Scholars Publishing, 2009. Pp. xvi + 214. ISBN 978-1-4438-0357-1. £39.99 (hardback).  
doi:10.1017/S0007087410000117

For a 'Bacon-faced' early Royal Society, 'singular experiences' offered the opportunity to delve into the inner recesses of nature. Had not the great Sir Francis commended the possibilities opened up by the study of 'nature erring' as a way of better understanding the normal course of natural processes? Pathology could be a guide to the ordinary. Such aspirations provide the theme of this comprehensively researched book which constitutes a useful addition to the still scant literature on the Royal Society in the eighteenth century.

Palmira Fontes da Costa shows how exploring the way in which the eighteenth-century Royal Society used such 'singular experiences' provides an illuminating guide to the dynamics of that institution. 'Singular experiences' involved the society acting as a corporate body in determining the authenticity or otherwise of such reported events. Such singularities were often linked to medical phenomena such as 'monstrous births', so their study brought to the fore the role of medical Fellows. For them the Royal Society's meetings were an opportunity for sociability and corporate intellectual activity; at the same time, the discussion of 'singular instances' exhibited their professional expertise. The book, then, further reconfirms the club-like character of the Royal Society, at least in the first half of the eighteenth century. To that extent it takes further Steven Shapin's emphasis on the way in which the early scientific movement was shaped by the canons of gentlemanly civility, including an emphasis on the importance of social standing in determining the reliability of evidence.

Yet this study also qualifies such a view, by suggesting an increasing emphasis on the importance of professional competence in weighing the validity of particular evidence. Another underlying theme is the way in which the early Royal Society was evolving modes of determining the